



MICHAEL J. SATZ
STATE ATTORNEY
SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA
BROWARD COUNTY COURTHOUSE
201 SE SIXTH STREET
FORT LAUDERDALE, FL 33301-3360
PUBLIC RECORDS REQUEST

*Fax Request
Closed
Not Sealed*

Contact Mrs Seltzer at (954)831-7228 / SSeltzer@sao17.state.fl.us

Requestor: Michael A. Catalano, P.A.

Phone: (305) 325-9818

Address: 1531 N.W. 13th Court

Fax: (305) 325-8759

City, State, Zip: Miami, Florida 33125

Date: 4/7/2010

Pursuant to Chapter 119, Florida Statutes, request is made for:

Request Type: ☒ Review Only ☐ Review and Copies ☐ Copies Only

Record Type: ☒ Criminal ☐ Criminal / SAO Inv. ☐ SAO Inv. ☐ Personnel / Adm. ☐ Grand Jury Inv.

Describe record(s) Steven Gibbs- 06-18980CF10A-Review of complete file

YOU ARE ADVISED that the State Attorney's Office is not the custodian of the official court records. The records you have requested are only those in the custody of the State Attorney, subject to all legal exceptions and/or redactions. For a copy of the complete and official record and/or certified copies, contact the office of Howard Forman, Clerk of the Court, 17th Judicial Circuit of Florida, at (954)831-6600.

(For SAO use only)

Letter acknowledging request sent by _____ Date _____

Active Case Discovery pulled by A.S.A. _____ Date _____

Reviewed/Redacted by [Signature] Date 4-7-10

Approved/Disapproved by [Signature] Date 4-8-10

File unable to be located by Unit _____ Date _____

See Notes/Exemptions/Redactions indicated below

no fee, under 33 pages

Request Withdrawn -- Date _____

SAO has no record as requested.

SAO record was destroyed per §119.021(2)(d), FS

SAO record sealed per §943.059, FS; Court Order required

Notes/Exemptions from Public Records Disclosure

(For Reviewing ASA use only)

- ☐ Active internal affairs investigation => exempt, §112.533, FS; §655.057(1)(a), FS
- ☒ Prosecutor's trial preparation notes => confidential and exempt, Lopez v. State 696 So. 2d 725 (Fla. 1997); Arbelaez v. State, 775 So. 2d 909 (Fla. 2000)
- ☐ Confession by Defendant on active cases => exempt, §119.071(2)(e), FS
- ☒ Bank account numbers, debit, charge and credit account numbers and social security numbers => exempt, §215.322(6)1, FS; §119.071(5)(a)(b), FS; §655.057, FS; §655.059, FS
- ☐ Biometric ID information => exempt, §119.071(5)(g), FS
- ☐ Confidential Informant's identity => exempt, §119.071(2)(f), FS
- ☐ Defendant not entitled to free copy of file. => Roesch v. State, 633 So. 2d 1 (Fla. 1993)
- ☒ Criminal History Data => exempt, §943.0525, FS
- ☐ Department of Corrections Records & Investigations => exempt, §945.10, FS
- ☐ Autopsy Photographs => exempt, §406.135(1), FS
- ☐ E.M.S. Reports => exempt, §395.51, FS *cell #5*
- ☒ Home Addresses, etc., of current or former prosecutors, law enforcement personnel, firefighters, judges and code inspectors => exempt, §119.071(4)(d)1, FS
- ☐ Traffic Homicide Report information re: identity of parties involved in crash exempt for 60 days after report is filed, => exempt, §316.066(3)(c), FS
- ☐ Videotaped statement of minor victim of sexual battery => exempt, §119.071(f)2.a., FS
- ☒ DL and DMV records => exempt, §119.0712(2), FS
- ☐ Other exemptions => _____

- ☐ Mental Health records => exempt, §394.4615(1), FS; §456.057, FS
- ☐ On active, pending cases, information not disclosed to defense in discovery => exempt, Satz v. Blankenship, 407 So. 2d 396 (Fla. 4DCA 1981); Tribune Co. v. Public Records, 493 So. 2d 480 (Fla. 2nd DCA) 1986
- ☐ Personal assets of crime victim => exempt, §119.071(2)(i), FS
- ☐ Personal victim information in cases of sexual offense, child abuse, lewd & lascivious offense => exempt, §119.071(2)(h), FS; §794.024
- ☒ Medical Records => exempt, §395.3025(4), FS; §395.3025(8), FS; §456.057, FS
- ☐ PSI, PTI, pre-plea, post-sentence investigative records => exempt, §945.10(1)(b), FS
- ☐ Reports of abuse of vulnerable adult => exempt, §415.107, FS
- ☐ Department of Children & Families Reports of child abuse => exempt, §39.0132(4)(a), FS; §39.202, FS
- ☐ School records => exempt, §1002.22, FS
- ☐ Photograph of victim of sexual offense => exempt, §119.071(2)(h)
- ☐ Active criminal intelligence and investigative information => exempt, §119.071(2)(c), FS
- ☐ Identity of caller requesting or reporting "911" emergency => exempt, §365.171(15), FS
- ☐ Juvenile Records => exempt, §985.04, FS
- ☐ Drivers License digital imaging => exempt, §322.142(4), FS
- ☐ Telecommunications records => exempt, §119.071(5)(d)

Resp Ex 801 ID 5



MICHAEL J. SATZ
STATE ATTORNEY
SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA
BROWARD COUNTY COURTHOUSE
201 S.E. SIXTH STREET
FORT LAUDERDALE, FL 33301-3360

PHONE (954) 831-6955

Economic Crime Unit (954) 831-7209

Please reply to Penn Farrington at 201 SE 6th Street, Room 660, Broward County Courthouse.

August 25, 2009

Andrew Coffey, Esq.
Shelowitz, Coffey & Associates, P.A.
208 SE 6th St
Fort Lauderdale, Florida 33301-3401

Re: State of Florida vs. Steven Gibbs
Felony Circuit Court Case No. 06-18980CF10A

Dear Mr. Coffey:

As you know, I am the assistant state attorney assigned to this case. I would ask that all motions and pleadings be addressed directly to my attention. My office is located on the 6th floor of the Broward County Courthouse, 201 Southeast 6th Street, Room 660, Ft. Lauderdale, FL 33301. Our direct FAX number is (954) 831-0634.

My case load is sufficiently under control to allow me to attend depositions so please take note that I want to attend every defense deposition. When your secretary goes to set any down I would ask that she call my secretary Reneé so she can immediately enter them on my calendar. I would be grateful for a quick courtesy call before beginning a deposition without me. Please have your secretary call Reneé immediately if you or any witness should cancel or change the date of any deposition.

If you feel a negotiated settlement is possible or likely please let me know as soon as possible. If you have demanded discovery, and you feel my answer is lacking in any way, please call me before setting down a motion to compel. I will try to cooperate without court order as much as I am able.

I look forward to speaking with you about the case in the future.

Very truly yours,

Penn D. Farrington
Assistant State Attorney
Economic Crime Unit
(954) 831-7209

cc: Clerk of the Circuit Court, for the Court file No. 06-18980CF10A

ECU - Renee Chapman

From: ECU - Penn Farrington
Sent: Tuesday, August 04, 2009 10:38 AM
To: ECU - Renee Chapman
Subject: RE: Steve Melnick called

✓me

Renee,

Please see my notes below. Please call over to case filing and see if you can get me a copy of the new arrest PC for Steven Gibbs and other paperwork on the new pending criminal traffic case. Also find out who is the case filing ASA. Thanks.

Penn

Tuesday, August 04, 2009

Steve Melnick called re: Steven Gibbs (06-18980CF10A) he asked if you could return his call whenever possible. His # is 954-462-7234. 9:45 am

8/4/2009 10:25 AM - I ran into Steve in the hall. He said his client Gibbs was arrested for reckless driving and other driving offences. He told them he was on probation. They searched his car and found nothing. Steve says a black unmarked car tried to pull Gibbs over and Gibbs evaded by weaving around other cars; but he was afraid they were not the police. Then a marked police car came up and he immediately pulled over.

Gibbs is now being held without bond. Steve wants to set bond but the case is before Judge Cohen. There is a bond hearing now set for Thursday morning. But Steve says since he represented Pedro in the election against Marti Cohen, Dale's wife, per the 4th DCA Steve as a permanent recusal of Dale on all cases. I said get the case moved and we can talk about it but he doesn't want to wait that long.

I asked who had the case in case filing but he didn't know. I said I needed to see the PC for the criminal traffic before I could agree to anything.

-----Original Message-----

From: ECU - Renee Chapman
Sent: Tuesday, August 04, 2009 9:26 AM
To: ECU - Penn Farrington
Subject: Steve Melnick called

Steve Melnick called re: Steven Gibbs (06-18980CF10A) he asked if you could return his call whenever possible. His # is 954-462-7234.

Thanks!
Renee Chapman, Secretary for
Assistant State Attorney Penn Farrington
ECU - Room 660B
(954) 831-7209

5/2/09

RECEIVED

2007 AUG -7 PM 4:19

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT, IN AND FOR
BROWARD COUNTY, FLORIDA

STATE OF FLORIDA

Plaintiff

CASE : 06- 18980 CF 10 A

VS

JUDGE: DALE COHEN

STEVEN GIBBS

Defendant

RECEIVED

AUG 12 2009

ON THE DESK OF
PENN D. FARRINGTON

SWORN MOTION TO RECUSE JUDGE AND ASSIGN NEW DIVISION

COMES NOW , the Defendant, Steven Gibbs by and through the undersigned Attorney who files this sworn Motion to Recuse the Trial Judge pursuant to Florida Rules of Judicial administration rule 2.160 and get case assigned to new Division and as grounds would state the following:

- 1 The defendant was arrested and formally charged by the Office of the Broward States Attorney with a felony.
- 2 The defendants case was randomly assigned to the Honorable Judge Dale Cohen .
- 3 The undersigned Counsel was retained to represent the defendant in the above matter
- 4 While the above case was pending the undersigned Counsel began to work as an active fund raiser, and speaker on behalf of the Honorable Judge Pedro Dijols retention campaign
- 5 In fact prior to the fund raiser for Judge Dijols at the law office of the undersigned Counsel, the undersigned received a telephone call from Mardi Cohen who was running under the name of Mardi Levey
- 6 During this telephone conversation Ms Cohen threatened that the fund raiser information posted by the undersigned was in violation of election rules and that the undersigned was making a big mistake .
- 7 Judge Dijols was being challenged by Bernard Bober and Mardi Levey Cohen,

FROM PENN FARRINGTON, ASA

State of Florida vs. STEVEN GIBBS

Case No. 06-18980CF10A

Here is what happened today: Thursday, August 06, 2009

1. 8:30 am: I had Det. Faircloth and another detective outside Judge Dale Cohen's courtroom ready to testify for a bond hearing on the VOP on the above case. Steve Melnick decided to file a motion for recusal based on his representation of Pedro Dijols in his contested election with Mardi Cohen and his motion was granted.

2. I got a call from Det. Faircloth said he was listening to more jail telephone conversations and Gibbs discussed with his girlfriend how his defense attorney, Melnick, said he was going to get the case moved to a judge who he was friends with and after that there would be no problem. Det. Faircloth asked if Melnick can chose who the new judge will be and I said that is up to the clerk's office. He promised to send me over a CD of the conversation. I suggested we might need to take this to Tim Donnelly if there is a suspicion he can manipulate judge shopping inside the clerk's office.

3. 2:50 PM: I ran into Chuck in the hall outside my office and ran the facts by him and he said Melnick was just "puffing." I agreed.

Penn Farrington

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

A FILE COPY

STATE OF FLORIDA,

CASE NO. 06-18980CF70A

vs.

JUDGE: D. COHEN

STEVEN GIBBS,

Defendant,

2009 AUG 28 PM 3:41

FELONY

FILED FOR RECORDS
CLERK OF CIRCUIT COURT
BROWARD COUNTY, FLORIDA


NOTICE OF HEARING

TO: Penn Ferrington, ASA
Office of the State Attorney
Broward County Courthouse
201 Southeast 6th Street, Sixth Floor
Fort Lauderdale, Florida 33309

YOU ARE HEREBY notified that we shall call up for hearing before the Honorable Dale C. Cohen Judge of the above-styled court in Room 4870 of the Broward County Courthouse, 201 Southeast Sixth Street, Fort Lauderdale, Florida 33301 on THURSDAY, SEPTEMBER 3, 2009 at 9:00 AM or as soon thereafter as we may be heard.

MOTION TO SET BOND FOR VIOLATION OF PROBATION

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered to the above-named addressee(s) this 28th day of August, 2009.



Andrew M. Coffey, Esquire
Attorney for the Defendant
Florida Bar #0075299
208 SE 6th Street
Ft. Lauderdale, FL 33301
Telephone: (954) 467-5700
Fax: (954) 467-5810

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

SC9
AT

STATE OF FLORIDA,

CASE NO. 06-18980CF10A

vs.

JUDGE: D.COHEN

STEVEN GIBBS,

Defendant.

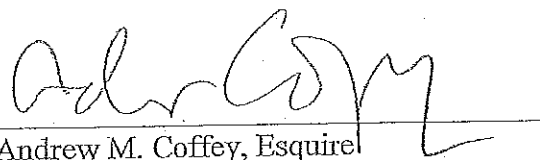
NOTICE OF HEARING

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Broward County Courthouse
201 Southeast 6th Street, Sixth Floor
Fort Lauderdale, Florida 33309

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Attorney for the Defendant
Florida Bar #0075299
208 SE 6th Street
Ft. Lauderdale, FL 33301
Telephone: (954) 467-5700
Fax: (954) 467-5810

RECEIVED

2009 SEP -1 PM 2:40

STATE ATTORNEY
17TH JUDICIAL CIRCUIT
FORT LAUDERDALE, FL 33301



MICHAEL J. SATZ
STATE ATTORNEY
SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA
BROWARD COUNTY COURTHOUSE
201 S.E. SIXTH STREET
FORT LAUDERDALE, FL 33301-3360

PHONE (954) 831-6955

Economic Crime Unit (954) 831-7209

Please reply to Penn Farrington at 201 SE 6th Street, Room 660, Broward County Courthouse.

August 25, 2009

Andrew Coffey, Esq.
Shelowitz, Coffey & Associates, P.A.
208 SE 6th St
Fort Lauderdale, Florida 33301-3401

FILE COPY

Re: State of Florida vs. Steven Gibbs
Felony Circuit Court Case No. 06-18980CF10A

Dear Mr. Coffey:

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My case load is sufficiently under control to allow me to attend depositions so please take note that I want to attend every defense deposition. When your secretary goes to set any down I would ask that she call my secretary Renee so she can immediately enter them on my calendar. I would be grateful for a quick courtesy call before beginning a deposition without me. Please have your secretary call Renee immediately if you or any witness should cancel or change the date of any deposition.

If you feel a negotiated settlement is possible or likely please let me know as soon as possible. If you have demanded discovery, and you feel my answer is lacking in any way, please call me before setting down a motion to compel. I will try to cooperate without court order as much as I am able.

I look forward to speaking with you about the case in the future.

Very truly yours,

Penn D. Farrington
Assistant State Attorney
Economic Crime Unit
(954) 831-7209

cc: Clerk of the Circuit Court, for the Court file No. 06-18980CF10A

ECU - Penn Farrington

From: ECU - Penn Farrington
Sent: Wednesday, August 12, 2009 4:48 PM
To: FCF - Barbara Curtis
Subject: Steven Gibbs 09-14241CF10A

Hi Barbara,

I have Steven Gibbs on a VOP (06-18980CF10A) and Steve Melnick is trying to get this dangerous driver back on the road. I have gotten copies of his new arrest and checked to make sure probation filed the VOP. I had detective Faircloth in the hall ready to testify the other day on a motion to set bond but Melnick moved to recuse Judge Cohen and the unfiled new case and VOP are now before Judge Gillespie.

I have spoken to Ron Faircloth (= confidential cell #) at some length about the acts of Gibbs on 7/31/09 in preparation for the bond hearing. Please let me know if you are not going to file the felony fleeing and eluding.

Note, I think Det. Faircloth made an error in the date on his PC.

Penn D. Farrington
Assistant State Attorney
Office of the State Attorney
17th Judicial Circuit
Fort Lauderdale, FL 33301-3360
Economic Crime Unit
(954) 831-7209
Fax (954) 831-0634

RECEIVED
AUG 12 2009
ON THE DESK OF
PENN D. FARRINGTON

ECU - Penn Farrington

From: FCF - Barbara Curtis
Sent: Wednesday, August 12, 2009 5:12 PM
To: ECU - Penn Farrington
Subject: RE: Steven Gibbs 09-14241CF10A

Penn

I was given this case today. I do not have any of the reports yet. If you talk to Det. Faircloth ask him to get me the reports. The 21st day is August 20.

Barbara
6012

-----Original Message-----

From: ECU - Penn Farrington
Sent: Wednesday, August 12, 2009 4:48 PM
To: FCF - Barbara Curtis
Subject: Steven Gibbs 09-14241CF10A

Hi Barbara,

I have Steven Gibbs on a VOP (06-18980CF10A) and Steve Melnick is trying to get this dangerous driver back on the road. I have gotten copies of his new arrest and checked to make sure probation filed the VOP. I had detective Faircloth in the hall ready to testify the other day on a motion to set bond but Melnick moved to recuse Judge Cohen and the unfiled new case and VOP are now before Judge Gillespie.

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Note, I think Det. Faircloth made an error in the date on his PC.

Penn D. Farrington
Assistant State Attorney
Office of the State Attorney
17th Judicial Circuit
Fort Lauderdale, FL 33301-3360
Economic Crime Unit
(954) 831-7209
Fax (954) 831-0634

IN THE CIRCUIT COURT OF THE
17TH JUDICIAL CIRCUIT, IN AND
FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff.

CASE NUMBER: 06-18980CF10A
JUDGE: GILLESPIE

vs.

STEVEN GIBBS,
Defendant.

MOTION TO SET BOND FOR VIOLATION OF PROBATION

The Defendant, STEVEN GIBBS, by and through the undersigned attorney, moves this Honorable Court for an order authorizing the Defendant to be released on bond.

The Defendant would show the following as grounds for this motion:

1. The Defendant currently is incarcerated at the Broward County Jail for violation of probation due to a no bond warrant signed by this Honorable Court.
2. On 7/31/09, the Defendant was arrested in unfilled case number: 09014241CF10A. The allegations are that the Defendant was fleeing from the police and driving recklessly. However, pursuant to the PCA, the officer attempted to stop the Defendant in an unmarked police car. As such, it may be understandable that if the Defendant even noticed the officer's vehicle, he may not have stopped his car. The officer did not pursue the Defendant for long, and instead turned off his lights and just followed the Defendant. The Defendant may have (pursuant to the police report) been driving too fast, but seemingly this would be no worse than committing a misdemeanor offense.
3. The Defendant is employed and has a great support group of friend and family who will be available to assist the Defendant as fights against this new arrest and his violation of probation.
4. Other grounds to be argued *ore temus*.

WHEREFORE, the Defendant respectfully requests this Honorable Court grant this Motion to Set Bond and enter an Order setting a reasonable amount.

RECEIVED
AUG 25 2009
ON THE DESK OF
PENN D. HARRINGTON

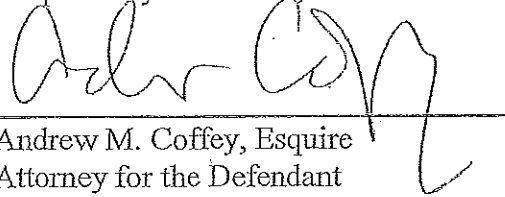
17TH JUDICIAL CIRCUIT
ATTORNEY
RECEPTION

AUG 24 PM 4:47

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Set Bond has been furnished by inter-office mail to the Office of the State Attorney, Broward County Courthouse, Fort Lauderdale, Florida, today, August 17, 2009.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Andrew M. Coffey", is written over a horizontal line.

Andrew M. Coffey, Esquire
Attorney for the Defendant
Florida Bar #0075299

208 SE 6th Street

Ft. Lauderdale, FL 33301

Phone: (954) 467 - 5700/Fax: 467-5810